

# **EXHIBIT C**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

ACTIVEPROSPECT, INC.,

Plaintiff,

v.

TECH PROSPER LLC a/k/a  
COMPLIANT LEAD a/k/a  
LEAD PROSPER and  
DATA PROSPER, LLC,

Defendants.

Civil Action No. 6:22-cv-00525-ADA

JURY TRIAL DEMANDED

**DECLARATION OF MICHAEL A. MCCABE**

I, Michael A. McCabe, declare as follows:

1. I am an attorney licensed to practice law in the State of Texas and am admitted before this Court. I am an attorney with the law firm Munck Wilson Mandala, LLP and counsel for Plaintiff ActiveProspect, Inc. ("ActiveProspect"). I submit this Declaration in support of ActiveProspect's Motion for Preliminary Injunction.

2. Attached as **Exhibit 1** is a true and correct copy of a cease-and-desist letter and accompanying patent infringement claim chart that I sent on behalf of ActiveProspect to Ross Breiman at Tech Prosper, LLC on April 6, 2022.

3. Attached as **Exhibit 2** is a true and correct copy of a letter dated April 13, 2022, from Robert Garson, counsel for Tech Prosper, LLC, to me, responding to my April 6, 2022 cease-and-desist letter.

4. I declare under penalty of perjury that the statements made in this declaration are true and correct.

Executed on May <sup>25<sup>th</sup></sup> \_\_, 2022 in Dallas, Texas.

A handwritten signature in blue ink, appearing to read "M. A. McCabe", with a long horizontal flourish extending to the right.

Michael A. McCabe